

EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
Andrew I. Port (State Bar No. 120977)
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Attorneys for Defendant
MITSUI O.S.K. LINES, LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11

GEORGINA HENSON

Plaintiff,

vs.

MITSUI O.S.K. LINES, LTD., and DOES 1
through 20, inclusive

Defendants.

Case No.:

**CERTIFICATE OF SERVICE OF
NOTICE TO ADVERSE PARTY OF
REMOVAL TO FEDERAL COURT**

1 Lynn Curry testifies as follows:

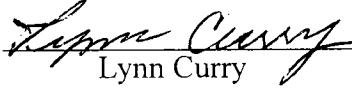
2 I am over the age of 18 years and not a party to this action.

3 My business address is 49 Stevenson Street, Suite 400, San Francisco, California 94015,
4 which is located in the city, county, and state where the mailing described below took place.

5 On May 8, 2008, I deposited in the United States Mail at San Francisco, California, a
6 copy of the Notice to Adverse Party of Removal to Federal Court dated May 8, 2008, a copy of
7 which is attached to this Certificate, addressed as follows: Edward M. Bull III, Eugene A.
8 Brodsky, Banning Micklow & Bull LLP, Steuart Tower, One Market Street, Suite 1440, San
9 Francisco CA 94105.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed in San Francisco, California on May 8, 2008.

12 
Lynn Curry

EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
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Katharine Essick Snavelly (State Bar No. 219426)
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Attorneys for Defendant
MITSUI O.S.K. LINES, LTD.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

RENÉ C. DAVIDSON COURTHOUSE

GEORGINA HENSON

Plaintiff,

vs.

MITSUI O.S.K. LINES, LTD., and DOES 1
through 20, inclusive

Defendants.

Case No.: RG 08 376724

**NOTICE TO ADVERSE PARTY OF
REMOVAL TO FEDERAL COURT**

TO PLAINTIFF GEORGINA HENSON AND HER ATTORNEYS OF RECORD:
PLEASE TAKE NOTICE THAT a Notice of Removal of this action was filed in the
United States District Court for the Northern District of California (San Francisco Division) on
May 8, 2008.

Copies of the Notice of Removal, Affidavit of Katharine Essick Snavelly, and Civil Cover
Sheet are attached to this Notice, and served and filed herewith.

DATED: May 8, 2008

EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
Andrew I. Port
Katharine Essick Snavelly

By *Kessick*
Katharine Essick Snavelly
Attorneys for Defendant MITSUI O.S.K. LINES, LTD.

- 1 -

1 EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
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E-Mail: aport@edptlaw.com
5 kessick@edptlaw.com

6 Attorneys for Defendant
7 MITSUI O.S.K. LINES, LTD.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 GEORGINA HENSON

13 Plaintiff,

14 vs.

15 MITSUI O.S.K. LINES, LTD., and DOES 1
16 through 20, inclusive

17 Defendants.

Case No.:

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §1441(b)
(DIVERSITY)**

18
19 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

20 PLEASE TAKE NOTICE THAT defendant Mitsui O.S.K. Lines, Ltd. ("Mitsui"
21 hereafter) removes to this Court the state court action described below:

22 **Jurisdiction**

23 1. This action is a civil action of which this Court has original jurisdiction under 28
24 U.S.C. §1332, and is one which may be removed to this Court by Mitsui pursuant to the
25 provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different nations
26 and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

27 //

Intradistrict Assignment

2. A substantial part of the events or omissions that give rise to the claim allegedly occurred in the County of Alameda. This action is commenced in the San Francisco Division of the Northern District of California.

3. On March 14, 2008, plaintiff Georgina Henson ("Plaintiff") commenced in the Superior Court of the State of California, in and for the County of Alameda ("Superior Court"), an action entitled *Georgina Henson, Plaintiff, v. Mitsui O.S.K. Lines, Ltd., and Does 1 through 20, inclusive, Defendants*, Case Number RG 08 376724.

4. On or about April 11, 2008, MOL America received a Summons and the Longshoreman's Complaint for Damages for Personal Injuries (33 U.S.C. §§905(b), 933). True and correct copies of these documents are attached as Exhibit A.

5. The facts as alleged on the face of the Complaint indicate that the amount of the matter in controversy exceeds \$75,000.00. In the Complaint, Plaintiff alleges that she "did sustain severe painful and disabling injuries to her right knee, left hip and head," and that she "has been unable to engage in her normal and usual calling, and will suffer a diminution in future earning capacity."

Based on the allegations of the Complaint, Mitsui is informed and believes that Plaintiff was, and still is, a citizen of the State of California. Defendant Mitsui was, at the time of the filing of this action, and still is, incorporated in Japan, and has its principal place of business in Tokyo, Japan.

DATED: May 8, 2008

EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
Andrew I. Port
Katharine Essick Snavelly

By Katharine Essick Snavelly
Katharine Essick Snavelly
Attorneys for Defendant MITSUI O.S.K. LINES, LTD.



SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

MITSUI O.S.K. LINES, LTD *and*

Does 1 through 20 inclusive

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

GEORGINA HENSON

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ENDORSED
FILED
ALAMEDA COUNTY

MAR 14 2008

CLERK OF THE SUPERIOR COURT

By MARGARET J. DOWNIE
Deputy

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California, County of Alameda,

Rene C. Davidson Courthouse, 1225 Fallon Street, Oakland CA 94612

CASE NUMBER.
(Número del Caso):

RG 0837672

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Edward M. Bull III, Eugene A. Brodsky, Banning Micklow & Bull LLP, 1 Market St., Steuart Tower, Suite 1440, San Francisco, CA 94105: Telephone No. (415) 399-9191

DATE:

(Fecha)

MAR 14 2008

PAT S. SWEETEN

Clerk, by
(Secretario)

MARGARET J. DOWNIE

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- | | |
|--|---|
| under: <input type="checkbox"/> CCP 416.10 (corporation) | <input type="checkbox"/> CCP 416.60 (minor) |
| <input type="checkbox"/> CCP 416.20 (defunct corporation) | <input type="checkbox"/> CCP 416.70 (conservatee) |
| <input type="checkbox"/> CCP 416.40 (association or partnership) | <input type="checkbox"/> CCP 416.90 (authorized person) |
| <input type="checkbox"/> other (specify): | |

4. ☐ by personal delivery on (date):

Page 1 of 1

1 BANNING MICKLOW & BULL LLP
Edward M. Bull III, SBN 141996
2 Eugene A. Brodsky, SBN 36691
Steuart Tower, One Market, Suite 1440
3 San Francisco, California 94105
Telephone: (415) 399-9191
4 Facsimile: (415) 399-9192

5 Attorneys for Plaintiff
Georgina Henson
6
7
8

ENDORSED
FILED
ALAMEDA COUNTY

MAR 14 2008

CLERK OF THE SUPERIOR COURT
By MARGARET J. DOWNIE Deputy

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

10 UNLIMITED JURISDICTION

11 GEORGINA HENSON

12 Plaintiff,

13 vs.

14 MITSUI O.S.K. LINES, LTD., and
15 DOES 1 through 20, inclusive,

16 Defendants.
17

CASE NO.:

RG-08376724

LONGSHOREMAN'S
COMPLAINT FOR DAMAGES
FOR PERSONAL INJURIES

33 U.S.C. §§ 905 (b), 933

18 Plaintiff GEORGINA HENSON alleges as follows:

19 1. Plaintiff, a resident of the State of California and a longshoreman
20 covered under the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §
21 901, *et seq.*, brings and maintains this action pursuant to 33 U.S.C. §§ 905 (b), 933.

22 2. At all relevant times, Defendant MITSUI O.S.K. LINES, LTD.
23 ("Defendant" or "MOL") was a business organization of unknown form authorized to
24 do business and at all relevant times doing business in the State of California and in
25 the County of Alameda. Defendant MOL's registered office is located at 6-32
26 Nakanoshima 3-chome, Kita-ku, Osaka 530-6591, Japan.

27 3. Plaintiff does not know the true names and capacities, whether corporate,
28 associate or individual, of the defendants sued herein under the fictitious names of

1 DOES 1 through 20, and Plaintiff prays leave to amend this complaint to allege said
2 true names and capacities when ascertained.

3 4. Plaintiff is informed and believes and thereon alleges that each of the
4 defendants designated herein as "DOE" is negligently responsible in some manner for
5 the injuries and damages to plaintiff.

6 5. At all relevant times, Defendant MOL and DOES 1 through 20, were the
7 agents, servants, employees and/or representatives of each other and were acting
8 within the course and scope of such employment.

9 6. At all relevant times, Defendant MOL, and owned, operated, maintained
10 and controlled that certain vessel known as the MOL EXPLORER.

11 7. At all relevant times, the Plaintiff was a longshoreman employed by
12 Trans Pacific Container Service Corporation ("TraPac") and TraPac Terminal Link of
13 California LLC, which corporations were organized under and by virtue of the laws
14 of the state California, with offices at 920 West Harry Boulevard, Wilmington,
15 California, and were authorized to do business and were at all relevant times doing
16 business in the State of California and the County of Alameda.

17 8. On or about November 29, 2007, Plaintiff was employed as a Crane
18 Walking Boss assigned to the MOL EXPLORER which was in the process of loading
19 and unloading containers at the Port of Oakland. On or about that date Plaintiff
20 boarded the vessel for the purpose of overseeing the loading of the MOL
21 EXPLORER. At such time and place, Plaintiff was walking on the deck at or around
22 Bay 20, when she stepped on a manhole cover (grating), which appeared secured and
23 safe. Suddenly and with notice or warning, the manhole cover (grating) dislodged as
24 she stepped on the cover, causing her body to fall into the void beneath the grating,
25 striking and injuring her right knee, left hip and head.

26 9. The November 27, 2007 accident and injuries to Plaintiff were caused or
27 contributed by the negligence of Defendants, including, without limitation, their
28 failure to: (1) safely and reasonably secure and fasten the manhole cover (a hidden

1 defect); (2) properly inspect and test the manhole cover; (3) and provide appropriate
2 warnings of the danger of stepping on an apparently secure manhole cover which was
3 in fact not secure (a hidden defect).

4 10. Defendants had actual or constructive notice of the dangerous condition
5 and a sufficient time prior to the accident and injury to have taken reasonable
6 measures to protect longshoreman, including plaintiff, who were required to walk on
7 the grating and manhole cover.

8 11. By reason of the foregoing, Plaintiff was caused to and did sustain severe
9 painful and disabling injuries to her right knee, left hip and head, and other injuries
10 not known at this time.


11 12. By further reason of the foregoing, Plaintiff has been unable to engage in
12 her normal and usual calling, and will suffer a diminution in future earning capacity.

13 WHEREFORE, Plaintiff prays judgment against defendants, and each of
14 them, as follows:

- 15 1. That Plaintiff may have a judgment for her general, special and
16 other allowable damages in an amount according to proof;
- 17 2. That Plaintiff be awarded prejudgment interest on the amounts
18 awarded;
- 19 3. That Plaintiff be awarded such other and further relief as the Court
20 deems just and proper.
- 21 4. For costs of suit;
- 22 5. For such other and further relief as the court may deem proper.

23
24 DATED: March 14, 2008

BANNING MICKLOW & BULL LLP

25
26 By 
27 Edward M. Bull III
Eugene A. Brodsky


28 Attorneys for Plaintiff
Georgina Henson

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury in this action.

DATED: March 14, 2008

BANNING MICKLOW & BULL LLP

By 
Eugene A. Brodsky
Edward M. Bull III

Attorneys for Plaintiff
Georgina Henson

1 EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP
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E-Mail: aport@edptlaw.com
5 kessick@edptlaw.com

6 Attorneys for Defendant
7 MITSUI O.S.K. LINES, LTD.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 GEORGINA HENSON

13 Plaintiff,

14 vs.

15 MITSUI O.S.K. LINES, LTD., and DOES 1
16 through 20, inclusive

17 Defendants.

Case No.:

**AFFIDAVIT OF KATHARINE ESSICK
SNAVELY IN SUPPORT OF NOTICE
OF REMOVAL**

18
19 I, Katharine Essick Snavely, declare as follows:

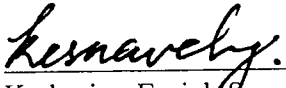
20 1. I am an attorney at law licensed to practice before all the courts of the State of
21 California and before this Court, and am an associate in the law firm of Emard Danoff Port
22 Tamulski & Paetzold LLP, attorneys for Mitsui O.S.K. Lines, Ltd., defendant to this action. I
23 have personal knowledge of all the facts stated herein, and I could and would testify competently
24 thereto if called upon as a witness to do so.

25 2. I have read plaintiff Georgina Henson's Longshoreman's Complaint for Damages
26 for Personal Injuries (33 U.S.C. §§905(b), 933). Plaintiff's allegations indicate that the amount
27 in controversy exceeds \$75,000.00. In the Complaint, Plaintiff alleges that she "did sustain
28

1 severe painful and disabling injuries to her right knee, left hip and head,” and that she “has been
2 unable to engage in her normal and usual calling, and will suffer a diminution in future earning
3 capacity.”

4 3. Based on the allegations in the Complaint, I am informed and believe that Plaintiff
5 was, and still is, a citizen of the State of California. Defendant Mitsui was, at the time of the
6 filing of this action, and still is, incorporated in the Japan, and has its principal place of business
7 in Tokyo, Japan.

8 I declare under penalty of perjury under the laws of the State of California that he
9 foregoing is true and correct and that this declaration was executed on May 8, 2008, at San
10 Francisco, California.

11 
12 Katharine Essick Snavely
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JS 44 (Rev. 12/07) (and rev. 1-16-08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS GEORGINA HENSON	DEFENDANTS MITSUI O.S.K. LINES, LTD.
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.
(c) Attorney's (Firm Name, Address, and Telephone Number) Edward M. Bull III, Eugene A. Brodsky BANNING MICKLOW & BULL LLP Steuart Tower, One Market St., Suite 1440 San Francisco CA 94105; Tel. (415) 399-9191	Attorneys (If Known) Andrew I. Port, Katharine Essick Snavely EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP 49 Stevenson Street, Suite 400 San Francisco CA 94105; Tel. (415) 227-9455

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																								
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<table style="width: 100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input checked="" type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)	Transferred from
<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Judge from Magistrate Judgment

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. sec. 1441(b) Brief description of cause: Longshoreman's cause of negligence of a vessel, 33 U.S.C. sec. 905(b).
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER F.R.C.P. 23	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE". (Plaintiff demands jury)
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IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)	<input checked="" type="checkbox"/> SAN FRANCISCO/OAKLAND <input type="checkbox"/> SAN JOSE
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 DATE
 May 8, 2008

 SIGNATURE OF ATTORNEY OF RECORD
